

In the Matter of:

Application for Certification for the GWF POWER SYSTEMS COMPANY, INC., HANFORD ENERGY PARK

Docket No. 00-SPPE-1

HANFORD, CALIFORNIA

10:15 A.M.

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

COMMITTEE MEMBERS PRESENT

Michal Moore, Presiding Member

STAFF PRESENT

Garret Shean, Hearing Officer

Melissa Jones, Advisor to Commissioner Moore

Caryn Holmes

Rick Buell

Melissa Jones

Pat Owen

Mary Dyas

Cheri Davis

Roger Johnson

Jack Coswell

Bob Eller

PUBLIC ADVISER

Roberta Mendonca

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REPRESENTING THE APPLICANT

D.W. Wheeler, Vice President
Duane H. Nelson, President and Chief Executive
Officer
Mark Kehoe, Director of Environmental and Safety
Programs
Hal Moore, P.E., Engineering and Maintenance
Manager
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Dave Stein
Environmental Consultant

ALSO PRESENT

Jan Reynolds, City Manager
Jim Beath, Community Development Director
Barbara McCurdy, Economic Development Manager
Gary Miesenheimer, Public Works Director
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Alene Taylor, Chairperson
Kings County Board of Supervisors

Don Mills, General Manager
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John S. Lehn, President and Chief Executive
Officer, Job Training Office Director
Kings County Economic Development Corporation
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Tony Barba

Mrs. Davis

Jim Verboon

I N D E X

	Page
Proceedings	1
Introductions	1,4,7,14
Opening Remarks, Presiding Member Moore	1
Overview, Hearing Officer Shean	3
Opening Remarks	
Applicant	4
CEC Staff	7
Public Adviser	9
Presentations	
Applicant	14
Questions/Comments	28
CEC Staff	29
Comments	
Local Government and Agencies	45
A. Taylor, Chairperson, Kings County Board of Supervisors	45,48
Public	47
J. Lehn, Kings County Economic Development Corporation	47
J. Verboon	54
Mrs. Davis	55
Site Visit	56

I N D E X

	Page
Afternoon Session	57
Local Government and Agencies	
T. Barba, Kings County Board of Supervisors, representing District Four	57
Closing Remarks	58
Adjournment	58
Certificate of Reporter	59

1 P R O C E E D I N G S

2 3:00 p.m.

3 PRESIDING MEMBER MOORE: Good morning.

4 I'm Michal Moore; I'm a Commissioner with the
5 California Energy Commission and I'm the Presiding
6 Member of the Committee that will be examining
7 this issue today.

8 I'm joined on the dias today by my Aide,
9 Melissa Jones, who's on my right. And by Garret
10 Shean, who is my Hearing Officer. And in the
11 capacity of Hearing Officer, as an attorney,
12 Garret not only keeps me honest in the process,
13 but he is also capable of and will be handling
14 some of the proceedings for us.

15 We are here because GWF Power Systems
16 filed an application for a small power plant
17 exemption, so that after local permitting they can
18 construct and operate a new 98.7 megawatt power
19 plant in Hanford here, adjacent to the existing
20 facility.

21 This is unlike most of the proceedings
22 that we normally conduct, which are to actually
23 review and license construction and operation of
24 new power plants.

25 If a proposed power plant under the

1 rules is under 100 megawatts the owner can seek to
2 be exempt from the Energy Commission's process,
3 and instead seek a license or a set of licenses
4 from local agencies, such as the city and county
5 or the air pollution control district, or other
6 affected agencies.

7 In order to grant an exemption my
8 Commission must find that the proposed project is
9 actually 100 megawatts or less, and that the
10 project will have no substantial adverse impacts
11 on the environment and energy resources.

12 Thus, the Energy Commission acts as the
13 lead agency in this case under the California
14 Environmental Quality Act or CEQA, and conducts an
15 initial study, and for all practical purposes, has
16 to issue a negative declaration in order to grant
17 the exception.

18 So, that's what we're about. And we
19 will be conducting fairly formal proceedings; and
20 yet, at the same time we'll be interested in
21 allowing anyone who is interested in the process,
22 especially from the local public, to have a chance
23 to address us and make their concerns known or ask
24 questions.

25 This information hearing today which is

1 designed to acquaint us and you with the project,
2 allow us to get out to see the site, allow us to
3 introduce our process to you, and to introduce the
4 applicant and what they have in mind.

5 With that, let me ask Garret to dial
6 into a little bit more of the nuances of the
7 process that we're going to use, and then we'll
8 introduce the applicant.

9 HEARING OFFICER SHEAN: For today, as we
10 indicated earlier when some of you were here and
11 we have some new people, what we propose to do is
12 have a presentation this morning by the applicant
13 and by the Commission Staff.

14 At noon we will break from here and go
15 to the site for a site visit, then return here.
16 Graciously our host, the City of Hanford, and the
17 applicant will be providing some lunch.

18 At that point if there are members of
19 the public or others who are here, government
20 agency representatives included, who have not
21 heard this presentation this morning, we will
22 essentially repeat it for anyone who had missed
23 it.

24 At that point we will adjourn. Some of
25 us will return to Sacramento; the Commission Staff

1 is remaining here for a workshop tomorrow and they
2 will probably tell you about that in their
3 presentation a little bit later.

4 With that, our general process at this
5 point is to have the applicant introduce itself
6 and the Commission Staff, and other people who are
7 parties to the proceeding. So, with that, why
8 don't we do that, Mr. Grattan.

9 MR. GRATTAN: This is Duane Nelsen, who
10 is the President and CEO of GWF.

11 HEARING OFFICER SHEAN: We're going to
12 need a microphone for him. Either hand it down
13 the table or --

14 PRESIDING MEMBER MOORE: I think all you
15 need to worry about is that it's recording.
16 You're probably going to be heard well enough, but
17 it's the recording we're interested in.

18 MR. NELSEN: Good morning, I'd like to
19 introduce the members of the GWF group. First of
20 all I'm Duane Nelsen. I've been involved with GWF
21 since about 1989. And many trips that I've made
22 to Hanford, so I know a number of the people here.

23 Members of the team most of you know
24 Doug Wheeler who is our Vice President of
25 Development. Riley Jones has been our Business

1 Manager at the Power Plant for the last ten years.

2 Many of you -- all of you know him.

3 We've got Mark Kehoe is our
4 Environmental Manager. Hal Moore is next to him,
5 our Engineering Manager. John Grattan is our
6 Project Counsel, work with the Energy Commission.
7 Dave Stein is our Environmental Consultant.

8 And I think that is the -- anybody I
9 miss?

10 If you step back in time, you look at
11 the last ten years, and the thing that we've taken
12 very strongly is a commitment to the community,
13 and the number of the promises that we made ten
14 years ago.

15 We've had an oversight committee for the
16 last ten years which is unheard of for a 22
17 megawatt power plant. We've met consistently with
18 the committee and I think that members of the
19 community would agree that we've taken our
20 commitments very seriously.

21 So as we look forward in developing a
22 new project, the issue we had to deal with was I
23 think a very important one for anybody that's
24 doing something new is my belief was that unless
25 we had good strong local support, and I think

1 Hanford is a very sophisticated community with
2 strong opinions, that we wouldn't even move
3 forward with the project.

4 So, we spent a great deal of time prior
5 to even submitting the permit application to the
6 Commission to make sure that what we were
7 proposing, a natural gas fired, combined cycle
8 power plant was something that the community would
9 accept, would like. And we did that work up
10 front. We met with a number of key community
11 leaders. And we felt we got that support.

12 And as we go forward, this is a very
13 public process, the next maybe six months, and
14 we're certainly looking for the public
15 participation, we're looking forward to that. And
16 to the degree that we end up developing this new
17 plant, we'll continue with the commitments we've
18 made to the community.

19 Our feeling and our reason for
20 developing the plant was both local energy needs,
21 when you look at California there is a tremendous
22 emergency right now of shortage of electricity
23 that's causing not only possibly rolling
24 blackouts, it's also causing tremendously high
25 prices. And it really threatens, to some degree,

1 the economic growth that we've seen in California.

2 Our goal is to be part of the solution
3 to that problem, both locally as well as
4 statewide. And we're excited to be really a part
5 of Hanford's energy future.

6 Thank you.

7 HEARING OFFICER SHEAN: Thank you. May
8 we have Commission Staff introduction, please.

9 MR. BUELL: Good morning, my name is
10 Rick Buell. I'm the California Energy Commission
11 Staff's Project Manager.

12 To my right is Caryn Holmes, who is our
13 Legal Counsel. In the audience we have Pat Owen
14 and Mary Dyas, who are Project Secretaries on the
15 case. They were gracious enough to come down and
16 set things up for us this morning.

17 We also have Cheri Davis, who is one of
18 our new Project Managers that's observing the
19 hearing today. Mr. Roger Johnson, who's the
20 Supervisor of the Siting Group.

21 And Mr. Jack Coswell, who's been helping
22 me out from time to time on the case, sending
23 letters out and getting things organized. We also
24 have Mr. Bob Eller, who will be doing our
25 compliance work on this case.

1 And I believe that's all of the
2 Commission Staff who are here today. We also have
3 an Environmental Consultant, Aspen, who will be
4 involved in the various hearings.

5 HEARING OFFICER SHEAN: Okay, I guess
6 what I should indicate, too, for the members of
7 the audience for whom this is your first exposure
8 to our process, there's probably multiple reasons
9 that they're there and we're here.

10 But one of them is that the staff
11 operates as an independent arm of the agency to
12 conduct independently and professionally a
13 comprehensive examination of the CEQA and other
14 issues that we are required to examine for the
15 purposes of this small power plant exemption.

16 And they will present to the Commission
17 Committee an initial study and a recommendation as
18 to whether to grant a negative declaration. And
19 this will come following the workshops that will
20 take place both here in Hanford and perhaps in
21 Sacramento, but the bulk of them would be here,
22 with hearings before the Committee.

23 So what I want to stress here is that
24 they are an independent analytical arm of the
25 Commission, and not under the direction or control

1 in that sense of the Committee.

2 With that, I'd also like to introduce
3 another independent and a very valuable member of
4 the Commission, Roberta Mendonca, who is our
5 Public Adviser. She is essentially your key
6 advocate at the Commission in terms of informing
7 you of the process, letting you know what's going
8 on. And we'll let her take it from there.

9 MS. MENDONCA: Good morning, my name is
10 Roberta Mendonca and thank you, Garret, for the
11 very nice preliminary comments.

12 Yes, probably the most significant thing
13 about the Public Adviser's position at the Energy
14 Commission is that my role is not to decide
15 anything nor analyze anything, so I have a job to
16 facilitate public participation in the process.

17 So if you have a question about where we
18 are in the process, if you want to know who you
19 should talk to with your concerns, the Public
20 Adviser is a resource for you to enable you to
21 better participate.

22 It's kind of a unique role and I've had
23 a lot of fun doing it. At times, probably the
24 biggest difficulty is making sure that people in
25 the public know about our process. And then once

1 they get the basic tools, that they know how to
2 participate.

3 The Energy Commission process is open.
4 If you sign up on our sign-in sheet today you have
5 an opportunity to get either email notification of
6 all the workshops that will be held in the future,
7 all of the hearings. Or you can also give us your
8 mail address and we will send you notice by hard
9 copy.

10 That gives you the opportunity to decide
11 if you want to be there for that particular
12 workshop or that hearing. It's pretty critical.
13 The concept of notice actually there is a
14 statutory requirement that notice be sent. But
15 the notice extends really 1000 feet in a circle
16 around the plant and 500 feet on each side of the
17 linears.

18 So the Public Adviser, in preparation
19 for this hearing, went locally, got the names of
20 school districts from the County Board of
21 Education, and notified schools of this hearing.
22 We also got a list of medical practitioners and
23 sent out a copy of the notice. And any other
24 resources that we have in the community we also
25 sent out notice.

1 We believe at the Energy Commission that
2 informed participation is really critical to our
3 understanding, their understanding what this
4 project might mean in the community.

5 So, how can you participate? Well, you
6 can participate like you did today, by showing up
7 at this meeting or any other meeting. Offer your
8 opinion, offer your comment, share your expertise
9 or skills. There's always a time and a place for
10 public comment.

11 In addition, the Energy Commission
12 offers an opportunity to intervene and become a
13 party in the case. And the Public Adviser is
14 there to assist people in the public that might
15 want to do that.

16 The difference between intervention and
17 public comment doesn't really show up until the
18 time that we get to a formal decision-making
19 process when the Commissioners are taking and
20 overseeing the formal hearings where the evidence
21 is presented on the project.

22 And the difference shows up there.
23 Intervenors can cross-examine the witnesses and
24 introduce expert testimony and expert witnesses on
25 their own. The public can comment, can offer

1 opinions, but that's its role. It is not
2 testimony in the case.

3 So, very importantly I have an 800
4 number, I'm very easy to get to. I also have an
5 email. I've provided a one-page summary. You're
6 going to hear a lot of information today. There's
7 a one-page walk-away, a description of the
8 project. It has my phone number and how to reach
9 me. Also a timeline for this small power plant
10 exemption process.

11 And, again, my name is Roberta and I'll
12 look forward to talk with each of you from the
13 public.

14 HEARING OFFICER SHEAN: Thank you,
15 Roberta. Let me just indicate, since she
16 mentioned it, and I guess because we have table-
17 space issues here, there is a sign-up sheet on the
18 back. It is voluntary, if you would like to sign
19 up there.

20 There is also, on this table, a
21 description of the Commission's email automated
22 list server. So that if you wish to get
23 information with respect to this case, and you are
24 hooked up into the net, there's some instructions
25 there as to how to subscribe to the Commission's

1 list server, for this, or any other cases, and
2 receive electronically notification of hearings,
3 workshops, and the availability of documents, as
4 well as give you access through the Commission's
5 webpage to documents that are in the official
6 record that are maintained by our docket unit,
7 which is the archivist for the Commission.

8 With that, are there any public agencies
9 who are here participating in the review of the
10 project who would like to introduce themselves?

11 Well, maybe we can get an introduction
12 from our hosts here from Hanford, just to say
13 hello, and we'd like to extend our thanks to you
14 for allowing us to use both this facility, and
15 welcoming us to the City.

16 MS. REYNOLDS: Thank you, Garret. My
17 name is Jan Reynolds. I'm the City Manager here
18 in Hanford. We appreciate the Commission's
19 interest in the project, and all the efforts that
20 you're going to take on behalf of this community.

21 GWF has been an excellent corporate
22 citizen, works very closely with the City of
23 Hanford. And we have been actively involved in
24 the preliminary process of their application.

25 On my staff with the City of Hanford

1 that are present is Jim Beath, the Community
2 Development Director; Barbara McCurdy, who's our
3 Economic Development Manager; and Gary
4 Miesenheimer, our Public Works Director.

5 Again, we thank you for your time and
6 your interest in the community.

7 HEARING OFFICER SHEAN: Well, thank you,
8 and we do appreciate that welcome we've been given
9 by the City.

10 With that, unless there are some
11 questions before we launch into it, we'll get into
12 the applicant's presentation. Is there anything
13 from the audience?

14 Okay, let's hear from the applicant.

15 MR. WHEELER: Good morning, Commissioner
16 Moore, members of the Energy Commission Staff,
17 members of the public, we have a short
18 presentation this morning that will cover some of
19 the key aspects of the SPPE application submitted
20 to this Commission for review.

21 Before we do that I'd like to introduce
22 GWF Power Systems. GWF Power Systems was formed
23 in 1980 by Signal Companies. GWF began with the
24 development of a small cogeneration project in
25 Newhall, California and a project in Torrance,

1 California to demonstrate the feasibility of using
2 petroleum coke and a fluidized bed boiler to
3 produce steam for enhanced oil recovery operations
4 and to generate electricity.

5 The process proved to be economically
6 viable and GWF subsequently permitted, designed
7 and constructed six petroleum coke fired plants in
8 California, totaling 130 megawatts.

9 Of the six plants GWF operates, five are
10 located in the Bay Area in Contra Costa County.
11 And one is located here in Hanford.

12 The project that we are proposing here
13 today, if approved, would be located adjacent to
14 the Hanford facility.

15 GWF is an independent energy company
16 that has for the past 13 years been owned by
17 Harbor Cogen and PSEG Global, a subsidiary of
18 Public Service Gas and Electric of New Jersey.
19 GWF is headquartered in Pittsburg, California, and
20 has 120 employees.

21 I'd like to turn now to the purpose of
22 the hearing today, the Hanford Energy Park, as
23 we're describing the proposed project.

24 The proposed project will be located in
25 the Kings Industrial Park here in the City of

1 Hanford. Over the past 20 years the technology of
2 producing electricity and steam has changed
3 significantly, and the efficiency of that
4 technology has improved dramatically.

5 The plant we are proposing, if approved,
6 will include a gas turbine generator that will
7 produce the majority of the plant's electrical
8 generation, a heat recovery steam generator or
9 HRSG, a steam turbine generator.

10 The HRSG will be designed to provide
11 steam to the steam turbine and export steam to
12 both existing customers and future potential
13 customers in the industrial park.

14 The project will incorporate state-of-
15 the-art technology that will insure that emissions
16 from the plant will be minimized while the
17 efficiency of the plant will be maximized.

18 Efficiency is a very important issue
19 when we attempt to address the present and future
20 electrical energy requirements that confront
21 California.

22 When we look at the plant that is being
23 proposed today it is important to recognize that
24 this plant, when compared with the utility
25 generating plants that currently produce the

1 majority of the electrical energy that we use
2 today in California, will use 40 percent less fuel
3 per megawatt of electricity generated.

4 That means our megawatt generation base
5 is the plant will use less water, will produce
6 significantly lower emissions.

7 There are a number of reasons that we
8 feel Hanford is the right place for the siting of
9 the proposed project. The City of Hanford and the
10 Kings Economic Development Agency are jointly
11 expanding the Kings Industrial Park. And as the
12 Park expands the energy requirements will also
13 expand. We feel that this project, if approved,
14 will be an integral part of that successful
15 expansion.

16 On the screen is a rendering of what the
17 project will look like. For orientation purposes
18 the railroad runs here, that's the Burlington
19 Northern Southern Pacific Railroad. Idaho Avenue
20 is here. The existing plant that we referred to
21 is located here.

22 The key components, as I mentioned, in
23 the plant include the gas turbine. This structure
24 is the air intake. The HRSG, the stack. The
25 plant includes an auxiliary boiler that would

1 operate to deliver steam only if the gas turbine
2 is down. The steam turbine located here. A
3 cooling tower; and the switchyard.

4 This is a process flow diagram that
5 describes the proposed project. As I mentioned,
6 the gas turbine generator is located here. It
7 will produce 67.6 megawatts of electricity. The
8 turbine that we've selected is a General Electric
9 Frame 6FA.

10 The exhaust gas from the turbine flows
11 into the heat recovery steam generator, again the
12 HRSG, to produce high pressure steam that is
13 routed to the steam turbine or to export steam
14 customers.

15 The plan includes a cooling tower,
16 condenser, and the steam turbine. The steam
17 turbine generator will produce 34.4 megawatts.
18 The internal plant load or parasitic load for the
19 facility is approximately 3.3 megawatts.

20 You'll notice that the HRSG has a duct
21 burner included. The purpose of the duct burner
22 is to add additional heat to the HRSG to provide
23 steam to those export customers.

24 As the project is designed the plant
25 will produce 98.7 megawatts net that will be

1 exported to the power grid. And at the same time
2 deliver 246,000 pounds an hour of steam to steam
3 customers.

4 The proposed project, as I mentioned,
5 will use state-of-the-art air pollution control
6 technology. For NOx, the gas turbine will include
7 a dry low NOx combustor. An SCR unit is designed
8 into the HRSG to remove NOx to a stack condition
9 of 2.5 ppm on a dry basis, 15 percent O2.

10 All the concentrations I'm going to talk
11 about are dry and at 15 percent O2.

12 The proposed project offers significant
13 flexibility. The application in the proposed
14 project, as I mentioned, will produce 98.7
15 megawatts while producing 246,000 pounds an hour
16 of steam.

17 If we choose to interrupt the export
18 steam we have the ability to -- the plant will
19 operate at a generation level of 99.2 megawatts
20 with no export steam. If we -- we have the
21 ability to extract steam off the steam turbine to
22 supply those steam customers. The turbine will
23 extract up to 150,000 pounds an hour. If we're
24 extracting steam off the steam turbine, the
25 generation is approximately 88 megawatts. And

1 under that condition we would not operate the duct
2 burner. The duct burner is operated only to
3 provide steam to the export steam customers.

4 I'd like now to orient you to the
5 location of the proposed project. This is 11th
6 Avenue here. Idaho is located here. The City of
7 Hanford is up here to the north.

8 In the insert panel Hanford-Armona Road
9 is located here. The linear facilities that will
10 be required for this project include a natural gas
11 fuel supply line that would be constructed and
12 operated by Southern California Gas Company. It
13 would come off of a SoCal line in Hanford-Armona
14 Road. It's a 16-inch line that would run south on
15 11th to Idaho, turn east on Idaho and then into
16 the plant site.

17 The proposed project is located here.
18 The existing project is located here. The
19 Burlington Northern Railroad is located here.
20 Across the street from the facility when you go on
21 the site tour, Frawley Tire Manufacturing facility
22 is located here. Integrated Grain Rolling and
23 Milling is located here. Del Monte is located
24 here. Calcot has a facility that is located here.

25 The other linear facility required is

1 the transmission interconnect. In the application
2 we have proposed a preferred transmission
3 interconnect route, and an alternate.

4 The proposed route would take the
5 generation at 115 kVa out of the site to the
6 railroad. It would run parallel to the railroad
7 to Jackson Avenue, which is located here. And
8 into a one-acre switchyard. From the switchyard
9 we would then connect to the PG&E Henrietta
10 Kingsburg 115 line.

11 The alternate route that is proposed in
12 the application would also be a 115 interconnect.
13 It would come out of the project, cross Idaho,
14 parallel the Lakeside Irrigation Ditch which is
15 located here, and then south paralleling 11th
16 Avenue to an alternate switchyard that would be
17 located here. And then into the 115 Henrietta
18 Kingsburg line.

19 This is a photograph of the existing
20 plant looking from Idaho Avenue located here to
21 the northwest. This is the parcel that we are
22 proposing to construct the proposed project on.

23 Next is the same view with a rendering
24 of the proposed project and the existing plant.
25 Again, the gas turbine here, HRSG, the stack, the

1 steam turbine generator, cooling tower located
2 here. The railroad is running over here.

3 This is a general arrangement layout of
4 the existing facility and the proposed facility.

5 As Duane mentioned, the existing facility is a 23
6 megawatt solid fuel plant. It burns petroleum
7 coke, and it has been in operation since 1991.

8 One of the things that we tried to do
9 with the proposed project is integrate to the
10 extent possible some of the facilities that are
11 currently available in the existing plant.

12 Those facilities would include a control
13 room located here; the maintenance warehouse
14 office space located here; the water treatment
15 system is located here; the demin water storage
16 tank located here. And the ammonia system which
17 is located here.

18 I should mention that the existing
19 ammonia system is an anhydrous system. And we are
20 in the process of converting that system to
21 aqueous.

22 The storm water detention basin is
23 located here, and you'll notice with the increased
24 surface that we're going to have to drain, that
25 will be expanded or enlarged to this size.

1 Again, the proposed facility located
2 here. Gas turbine, HRSG, the steam turbine,
3 cooling tower, the switchyard here, and again this
4 is the 115 line running out here to the railroad
5 easement. And, again, that's the preferred route.

6 The environmental issues that we've
7 identified, and as we mentioned we have had a
8 number of discussions and dialogues with members
9 of the community to identify the environmental
10 issues that would be associated with this project,
11 and discuss the mitigation that we're proposing.

12 There are three issues that we've
13 identified. Air quality is one; water resources
14 is the second, and noise is the third.

15 The air quality mitigation measures,
16 again the project that we're proposing will use
17 the best available control technology. For NOx it
18 will be delivered with a dry low NOx combustor.
19 And the heat recovery steam generator is a ultra
20 low NOx duct burner that we've described. And a
21 selective catalytic reduction system.

22 The auxiliary boiler, again it's standby
23 only. It would only be used if the gas turbine is
24 out of service. It would also be installed with
25 an ultra low NOx burner. When I say ultra low

1 NOx, what I mean is a burner that would be
2 designed with a maximum NOx concentration of 9
3 ppm.

4 The NOx emissions in the stack that the
5 project is designed around is 2.5 ppm. For VOC
6 control we will use an oxidation catalyst in the
7 HRSG that will reduce the volatile organic carbons
8 to 2.5 ppm. CO will use the same oxidation
9 catalyst and will reduce the CO to 3.3 ppm.

10 The remaining emissions from the plant
11 will be offset using emission reduction credits
12 which have been purchased or optioned from sources
13 within the San Joaquin Valley Unified Air
14 Pollution Control District. Consistent with the
15 District rules, the ERCs will be provided at a
16 ratio greater than 1.1.

17 The next area is water resources. The
18 proposed project will use 850 acrefeet of water
19 per year. About 82 percent of that water is used
20 in the cooling tower as makeup. The balance is
21 used as boiler feedwater makeup. And in the
22 evaporative cooling system on the gas turbine
23 inlet.

24 The water would be supplied from an
25 existing groundwater supply well that currently

1 supplies water to the existing plant.

2 The mitigation that we're proposing
3 involves the acquisition of state project water
4 from Angeola Water District in the southern part
5 of Kings County. An agreement with the state
6 contractor, who is the Tulare Lake Water Storage
7 District, an exchange agreement with J.T. Boswell,
8 and a groundwater banking agreement with the Kings
9 County Water District.

10 This is a map of Kings County. The
11 project site is located here. This is the
12 California Aqueduct here. The water storage
13 district's turnout on the aqueduct is located
14 about a mile north of Kettleman City.

15 We will deliver our entitlement of state
16 project water to J.T. Boswell. And through the
17 exchange agreement that I mentioned we will
18 exchange that water for entitlements they have on
19 the Kings River.

20 The Kings River flow is controlled by
21 Pine Flat Dam, located here. When scheduled
22 releases occur, those scheduled releases will be
23 delivered to the Kings County Water District, and
24 they will either use it -- that water will be
25 scheduled during the irrigation season, and that

1 water would be used either to offset groundwater
2 pumping, or sunk in recharge basins.

3 The last issue is noise. Baseline noise
4 level studies have been completed. A supplemental
5 study was completed last Friday on the 28th. The
6 proposed project noise attenuation design features
7 have been modeled with predicted contribution
8 levels.

9 The cumulative noise impacts at the
10 sensitive receptors are less than 5 dba. In fact,
11 at the closest receptor, which is at the -- close
12 to the intersection of Idaho and 10th, is less
13 than 2 dba.

14 This is an area map again. I just want
15 to point out where the noise measurements were
16 taken, and more importantly where the sensitive
17 residential receptors are located. And where some
18 of the long-term noise monitoring measurements
19 were taken.

20 This triangle here is located close to
21 the Davis residence, which is just off of 11th
22 Avenue and Iona. There are other residences that
23 are located here along 10th. Again, the closest
24 residences to the proposed project are located
25 here near the intersection of Idaho and 10th.

1 There were also long-term measurements
2 taken at the Grant Park residence located here.
3 These are short-term measurements. But it was
4 this information that we used to develop the
5 design criteria to attenuate the noise from the
6 facility.

7 I'd like to sum up with the
8 environmental and economic benefits that this
9 project brings. It will provide addition of
10 clean, reliable and efficient source of energy for
11 the Kings Industrial Park.

12 The use of natural gas as a fuel source
13 and state-of-the-art air pollution controls to
14 minimize air emissions. Emission offsets for NOx,
15 VOC, PM10 and CO. Normally with CO applicants
16 will model the CO impact. We've elected to
17 provide emission offset credits for the CO
18 emissions from the plant. And these offsets,
19 again, are being provided consistent with the San
20 Joaquin Valley Air Pollution Control District
21 rules and regulations.

22 Reduction in potential for hazardous
23 materials exposure by converting the existing
24 anhydrous ammonia system to aqueous ammonia.
25 Recharge of local aquifer to fully mitigate the

1 groundwater use from the existing groundwater
2 supply well.

3 Use of existing GWF personnel to operate
4 and maintain the Hanford Energy Park. This,
5 again, is one of the benefits that we've been able
6 to integrate into the proposed project because of
7 its proximity to the existing project. We're not
8 proposing any new jobs being added with the
9 proposed project. But, we feel through the
10 efforts of the City of Hanford, and the Industrial
11 Park, that industry will be drawn to the
12 industrial park, and that industry will bring a
13 significant number of jobs.

14 Additionally approximately \$700,000 a
15 year in local property taxes. Addition of
16 approximately \$2.1 million per year in the
17 purchase of local goods and services during the
18 construction period. Addition of approximately
19 \$30,000 a year in good and services during the
20 operation of the facility.

21 And that concludes our presentation.

22 PRESIDING MEMBER MOORE: Thank you very
23 much. Let me just ask you one question before we
24 turn to staff for their presentation.

25 On your noise levels, 5 dba, that's

1 cumulative in addition to the baseline, right?

2 MR. WHEELER: That would be the
3 predicted cumulative addition to the baseline at
4 those --

5 PRESIDING MEMBER MOORE: I know you're
6 not showing dba's of 5.

7 MR. WHEELER: Yes.

8 PRESIDING MEMBER MOORE: The
9 neighborhood's pretty quiet out there.

10 (Laughter.)

11 PRESIDING MEMBER MOORE: Very pastoral.
12 All right, Mr. Buell.

13 MR. BUELL: Good morning, again. I'd
14 like to give a little background. The Commission
15 is composed of a five-member Commission and they
16 are the decision-makers in the process. That
17 five-member Commission assigns two Commissioners
18 to oversee any siting cases before the Energy
19 Commission, either an SPPE like we're dealing with
20 today, a small power plant exemption, or an
21 application for certification.

22 In this case the two Commissioners that
23 the Commission has assigned in this case are
24 Michal Moore, who has been speaking this morning,
25 and Art Rosenfeld. They also appoint a gentleman,

1 Mr. Garret Shean as the Hearing Officer, who's
2 also been giving a great presentation this
3 morning. And he conducts the hearings basically,
4 takes the evidence, essentially acts as a judge in
5 the process.

6 And the Energy Commission, as
7 Commissioner Moore indicated earlier, is an
8 independent party to the process. We act
9 independently of the Commissioners. We can
10 disagree or provide a recommendation and the
11 Commissioners don't necessarily have to adopt our
12 recommendation.

13 We present our own case. We decide what
14 issues we think are appropriate to address in a
15 case. The Commissioners may advise us to consider
16 issues that we haven't already identified. But,
17 we're independent parties.

18 Likewise there are other independent
19 parties that participate in the process. The
20 applicant, of course, is one of the parties in the
21 case. Local and federal and state agencies also
22 act as independent parties to the case. We would
23 rely on the recommendations of those agencies,
24 look at their rules and regulations to understand
25 the requirements that would be placed upon this

1 project.

2 The other category is intervenors, which
3 Roberta can speak more to that if you have
4 interest in what an intervenor is and how you
5 become one. But basically they are parties to the
6 case and they have the right to present evidence,
7 cross-examine witnesses and participate as a party
8 in the case.

9 The public in general can come to any
10 workshop that any Commission Staff would hold, or
11 the Committee will hold, and provide comments at
12 anytime. We are conducting an open process, which
13 means that we will have public workshops, they
14 won't be behind closed doors, making conclusions
15 of what the appropriate mitigation measures are
16 for the project. We will have open meetings to
17 discuss what's being proposed by the applicant and
18 to address what additional mitigation staff, local
19 agencies, or intervenors may recommend on the
20 project.

21 Just to kind of review, the Energy
22 Commission has siting authority over thermal power
23 plants in excess of 50 megawatts. That includes
24 related facilities such as the transmission line,
25 water supply lines, natural gas supply lines,

1 waste disposal facilities that might be associated
2 with the facility, access roads. So they have
3 broad jurisdiction.

4 One of the things as I've indicated we
5 do is we don't have our own regulations for a
6 large part, but we rely on local, state and
7 federal agencies for determining what the
8 requirements are. For example, looking at noise,
9 we would look to the City or the County's noise
10 element and noise ordinance to establish what an
11 acceptable level of noise is.

12 As Commissioner Moore indicated at the
13 outset, this is a different process than the
14 Energy Commission Staff or the Commissioners
15 generally deal with. We aren't licensing a
16 project in this case, but we're actually looking
17 at exempting this project.

18 And the criteria for an exemption are
19 that it is less than 100 megawatts; that the
20 project will not result in any substantial adverse
21 impacts on the environment; and also that it will
22 not result in any substantial adverse impacts on
23 energy resources.

24 So those are the criteria for a small
25 power plant exemption. And the process that staff

1 will be using to evaluate this is defined by CEQA,
2 and we will be the lead agency for the California
3 Environmental Quality Act, also known as CEQA.

4 In the SPPE process we don't, as I said,
5 we don't license facilities, but rather it's the
6 local and state and federal agencies who will
7 actually permit the facility.

8 And we will not be processing any
9 permits in this exemption process. The applicant
10 will actually have to go to the local agencies to
11 obtain those permits after this process is
12 complete, or during the process.

13 Under our CEQA evaluation staff will
14 prepare an initial study, I think Commissioner
15 Moore mentioned that earlier. The basis for our
16 environmental study we'll be looking at the
17 environmental checklist which is part of the CEQA
18 guidelines.

19 I've brought a copy of that. It's up on
20 the front table if you'd like to look at the type
21 of questions that are in the CEQA checklist, the
22 kind of issues that will be examined during the
23 case.

24 The Energy Commission Staff will be
25 looking at two issues that are not in the

1 established guidelines, but that we believe are
2 also appropriate to this case.

3 Those two issue areas are environmental
4 justice. We'll be examining whether or not the
5 project will have any --

6 MS. HOLMES: Environmental justice
7 implications?

8 (Laughter.)

9 MR. BUELL: Thank you, counsel.

10 MS. HOLMES: Earned my salary for today.

11 MR. BUELL: And also the second issue
12 is, it's not specifically mentioned, in appendix
13 G, as impacts on energy resources. So we've added
14 that to our checklist.

15 As I indicated we'll be having public
16 workshops. We have one scheduled for tomorrow.
17 The purpose of tomorrow's workshop is to discuss
18 data requests that staff has issued to the
19 applicant to obtain clarification on the
20 applicant's proposal.

21 We also have received some responses to
22 an earlier set of data requests which we'll be
23 discussing tomorrow at that workshop. Anyone's
24 allowed to come, it's an open forum. If you have
25 questions during the workshop you can ask

1 questions, gain clarification.

2 The documentation that we'll be
3 preparing on this case, as indicated earlier, is a
4 draft initial study, followed by a final initial
5 study, and then a Presiding Member's Proposed
6 Decision, or decision on the project. And
7 ultimately the five-member Commissioners will vote
8 on whether to accept the Committee's
9 recommendation on whether to approve this small
10 power plant exemption or not to.

11 This is kind of an outline of the
12 schedule in the process. We're in the first phase
13 there where it says discovery. From day zero to
14 approximately day 100, these are approximate days.

15 As the name implies, this an opportunity
16 to have an information hearing and site visit, to
17 issue data requests, to have issue workshops to
18 try to resolve concerns that the public or local
19 agencies may have on the project.

20 Following that is an analysis phase
21 where staff will draft its initial study. We'll
22 have workshops on that initial study, in case the
23 public or the members of the local agencies don't
24 believe we've fully addressed or analyzed issues
25 that were relevant to their concerns. This will

1 be an opportunity for them to comment on our
2 initial study.

3 We'll file a final initial study which
4 should address those comments. And there will be
5 a prehearing conference which will be an
6 opportunity for the Commissioners to hear what
7 issues the public, local agencies and the
8 Commission Staff, and other parties to the case
9 think should be addressed in evidentiary hearings
10 on the case.

11 The evidentiary hearings, or the
12 Committee hearings, are the next phase of the
13 project. Generally between 150 and 180 days into
14 the process. After the Committee hearings, the
15 Committee will issue a decision. There will be an
16 opportunity for public comment again. And a
17 hearing on the proposed decision, Committee
18 hearing. And then ultimately the issue will be
19 heard by the five-member Commissioners on whether
20 to accept the Committee's recommendation.

21 The final phase that I've shown here is
22 compliance. It's an ongoing situation. And for
23 applications for certification and power plant
24 exemptions it's a matter of showing that the
25 conditions that staff has adopted or recommended

1 be in place, actually do take place.

2 Contacts. This is for your information.

3 That's my phone number. You can call me at
4 anytime. I have an email address, you can email
5 me. And I can have you put on the mailing list
6 that Garret mentioned, the server mailing list if
7 you can't figure out how to do that yourself. You
8 can ask me a question on what's coming up on the
9 process.

10 I've often used email to contact parties
11 in the case to find out whether or not a workshop
12 date is an acceptable date for the various
13 parties, local agencies. If you want me to do
14 that give me your email address and I can ask you
15 those questions, depending upon how much you want
16 to be involved in the case.

17 Again, Garret Shean is the Hearing
18 Officer, I've included his name, phone number and
19 email address. I'll let him speak to whether or
20 not he wants to hear from you directly or not.

21 And, of course, Roberta's number is
22 there. And she's there to assist you on your
23 participation in the case.

24 Issues identification report. Again, up
25 here I have a copy of staff's issues

1 identification report that's a report that the
2 Committee directed us to provide for this
3 informational hearing. It outlines what staff's
4 initial read on the issues that it believes may
5 exist on this case.

6 The concept is to provide an opportunity
7 for people to understand issues that we're looking
8 at or that we think are significant. To add to
9 that list as appropriate. And it's certainly not
10 limiting. If at some point in the future we
11 determine there's an additional issue that needs
12 to be addressed, this is not the last opportunity
13 to raise those issues. So during the workshop
14 process that we'll hear over the next few months
15 there will be additional opportunities to raise
16 issues that may be of concern.

17 Again, the criteria we're going to be
18 using our analysis or preparing the issues
19 identification report was the environmental
20 checklist. We looked at those questions in
21 determining whether or not we believe there was an
22 issue on the case.

23 And lastly, in order to qualify for a
24 small power plant exemption we are ultimately
25 looking at whether or not the project will result

1 in any significant environmental impacts. So
2 that's again one of our criteria in this process.

3 The issue areas that we have identified
4 are somewhat larger than the issues that were
5 identified by the applicant. And this doesn't
6 mean that we've got a lot more problems with this
7 case. It means that we don't, in some cases, have
8 enough information to reach a final conclusion on
9 those questions asked in the environmental
10 checklist form.

11 The issue areas that we've identified
12 are aesthetics or visual resources, air quality,
13 biological resources, culture resources, hydrology
14 and water quality. We refer to that as water
15 resources often. Land use planning, energy
16 efficiency, noise, traffic and transportation.

17 I've tried to give kind of a brief
18 overview of what those issues are. Again, it's
19 our write-up on providing some more discussion of
20 that is in the issues report. There's copies here
21 if you want to look at it.

22 The issue on aesthetics is visual
23 plumes. We are concerned that the project may
24 result in visible plumes from the cooling tower
25 and/or the emission stacks.

1 And the other issue is nighttime
2 lighting. We've asked some data requests which
3 we're going to talk about at tomorrow's workshop
4 to find out if the applicant basically has any
5 questions about what we're asking for.

6 And we hope that those responses to
7 those data requests will allow engineers and staff
8 to reach a final conclusion on whether these are
9 or are not significant environmental concerns that
10 need to be addressed or mitigated during this
11 case. But those are the areas under aesthetics.

12 Under air quality we're looking at
13 possible impacts during construction phase of the
14 project, looking at the potential for need for
15 additional mitigation measures. We're looking at
16 operational activities to understand the
17 applicant's proposal, and the proposed mitigation
18 measures that they've identified. So that's an
19 area of concern.

20 Also, we're looking at cumulative
21 impacts that may result from this project and
22 other projects in the area, as well as the
23 existing GWF facility.

24 We've again asked data requests. We
25 hope that those data requests will allow staff to

1 reach a conclusion on whether or not these are
2 potential issues.

3 The next area is biological resources.
4 And here the issue primarily is the federal
5 permits, whether or not or what requirements may
6 be placed on this project in order to mitigate
7 impacts on potentially -- or on endangered species
8 under the federal Clean Air Act. The need for
9 preconstruction surveys is part of that permit
10 process. And evaluation of what the appropriate
11 mitigation measures are.

12 Also we're looking at indirect impacts
13 associated with the use of the steam in the
14 industrial park as an issue. We want to make sure
15 that we've identified all the direct and indirect
16 impacts, and that those are properly mitigated.

17 Again, we've asked data requests. We
18 hope those data requests will lead us to a
19 conclusion on these issues.

20 Under cultural resources we have some
21 potential impacts on historical resources in the
22 project area. I believe it's a telegraph pole
23 system that's in there. We're looking at what the
24 appropriate mitigation measures might be
25 associated with mitigating impacts on that

1 historical resource.

2 Again, we've asked data requests. We
3 hope those will lead us to a conclusion.

4 Hydrology and water quality. We're
5 looking at concerns about droughts and how that
6 might affect the water drilling identified in the
7 applicant's proposed mitigation measures scheme.
8 We believe that the data responses are going to
9 address those.

10 Land use and planning. We had some
11 questions regarding existing land use
12 requirements. One of them had to do with set-back
13 requirements for property height, or the height of
14 structures next to the property line. We've asked
15 the applicant for additional information to try to
16 help clarify whether the project is going to
17 conform with the existing land use plans.

18 Energy resources. We received data
19 responses last week on I think it was the 27th.
20 And our preliminary response to the two questions
21 that we're asking under energy resources is that
22 the project is, indeed, under 100 megawatts, and
23 therefore would qualify for a small power plant
24 exemption, presuming that there are no significant
25 environmental impacts.

1 And we also calculated the 99.2 megawatt
2 generating capacity as the applicant indicated.

3 We also looked at the issue of whether
4 or not the project represented a wasteful and
5 inefficient use of energy. We have concluded that
6 the project will not. It's within the expected
7 range of efficiency for such projects. And
8 therefore we will have no issues in this area.

9 I wanted to point this out because this
10 is one of the areas that was of concern and
11 identified in the issues report. We included the
12 discussion of this in the issues report on the
13 topic of mineral resources. I think that's a
14 little bit obtuse, so in the future we'll be
15 calling it energy resources, which makes a lot
16 more sense.

17 Again, on noise, will the project
18 increase noise levels in the project's vicinity.
19 We have questions of applicant, sounds like
20 they're in the process of responding to. Staff
21 does use a criteria for evaluating significance of
22 a 5 db increase in ambient levels as being a line
23 on whether or not there's a significant impact in
24 terms of noise. From what the applicant said
25 today we're below that significance criteria.

1 Traffic and transportation. We're
2 concerned about particularly during construction
3 whether or not the project will exacerbate traffic
4 congestion in the project area. And we have some
5 data requests the applicant is going to respond
6 to, to help us understand those issues and address
7 those concerns.

8 Lastly, I've prepared a schedule, a
9 draft schedule for the parties' consideration on
10 this. And we're at about the middle there, which
11 is August 2nd, at the informational hearing. The
12 next couple steps will be data requests, data
13 response, workshops in the next month or so. The
14 first one will be tomorrow.

15 We'll tentatively have a publication
16 date for the draft initial study at the end of
17 September. Workshops on that in October. And the
18 final initial study being published in late
19 October. I believe the applicant's schedule is
20 substantially similar to this. They may have
21 suggested a schedule that has the final initial
22 study slightly later and hearing slightly later in
23 the process, if I'm not mistaken.

24 That concludes my presentation. If
25 anyone has any questions, I'd be glad to try to

1 answer those at this time.

2 PRESIDING MEMBER MOORE: Thank you, Mr.
3 Buell.

4 Let me ask if there is anyone from the
5 local government agencies who'd like to address us
6 today. Anyone from the City who'd like to --

7 MS. MENDONCA: Commissioner Moore,
8 there's a couple sitting outside that have asked
9 about speaking, when they could speak --

10 PRESIDING MEMBER MOORE: Sure, I
11 appreciate that. We're just about to come to
12 them.

13 Are there government agencies of any
14 kind, air pollution district, -- I'm sorry?

15 SUPERVISOR TAYLOR: I'm Alene Taylor,
16 I'm the Chairperson of the Kings County Board of
17 Supervisors.

18 And I believe you received a letter of
19 support for this project from the Board. And also
20 from myself, as an individual.

21 I've sat on the GWF Oversight Committee.
22 I'm off it now, but for three years. And was part
23 of the original group that basically opposed GWF.
24 And have worked with them for the last ten years
25 and found them to be, from an environmental

1 standpoint, a very reputable company that has gone
2 out of their way to work with the neighbors and
3 with the community.

4 And I'd just like to reiterate our
5 support for the project.

6 PRESIDING MEMBER MOORE: Supervisor, is
7 this in your District?

8 MS. MOORE: No. Just over the border.

9 PRESIDING MEMBER MOORE: Just over the
10 border.

11 (Laughter.)

12 PRESIDING MEMBER MOORE: Another
13 district line, then. Thank you, Supervisor, we
14 appreciate the County's input, as always.

15 And with that, let me ask if there is
16 anyone who intends to be an intervenor in this
17 process? Anyone who intends to file for
18 intervenor status? Okay.

19 Then let me ask if there are members of
20 the public who would like to address us and make
21 your concerns known, or let us know things that
22 you want us to consider during the process, or you
23 want me to consider during the period when I'm
24 writing the decision? Anyone who would like to
25 address us? Concerns? Wants to make sure they're

1 included on the lunch menu?

2 (Laughter.)

3 PRESIDING MEMBER MOORE: Anyone who
4 wants to make sure they don't get invited to the
5 tour? Yes, sir, please introduce yourself.

6 MR. LEHN: Good morning. My name is
7 John Lehn. I'm the President and CEO of Kings
8 County Economic Development Corporation.

9 PRESIDING MEMBER MOORE: Good morning.

10 MR. LEHN: And -- good morning. We
11 faxed a letter and would like to provide for the
12 record, the official record, letter that was
13 approved by the Board of Directors this past
14 Monday in support of the project.

15 Mr. Wheeler had mentioned while this
16 specific project won't bring additional jobs
17 within the four walls or corners, it certainly has
18 the opportunity to encourage and entice additional
19 businesses to come in.

20 We're absolutely in agreement with that.
21 We believe that with the attributes that this
22 power plant brings to that area, as well as some
23 industrial land that surrounds that, that was
24 recently purchased by the City of Hanford, that
25 this will become the premiere site for food

1 processors and also those heavy users of steam in
2 the manufacturing process.

3 It's probably not coincidental in terms
4 of our support that those types of industries are
5 typically very large. Del Monte, for example, is
6 in excess of 1000 employees. And most of the
7 other food processors or cheese processors are in
8 excess of about 300.

9 So it's very much a welcome project.
10 We're in full support of that. And would
11 encourage your licensing or approval of the
12 negative dec. Thanks.

13 PRESIDING MEMBER MOORE: Thank you,
14 appreciate that.

15 Supervisor, could I ask you just a
16 question while you're here. Could I ask you to
17 come back up for just one second.

18 Given what this gentleman just said I'm
19 going to presume that LAFCO will be involved for
20 future annexations or that there's been some
21 consideration in the long term County general plan
22 for the kind of heavy industries that he's talking
23 about.

24 And so have you, in your land use
25 deliberations, or -- I don't know whether you're a

1 member of LAFCO, but two members of your Board
2 are --

3 SUPERVISOR TAYLOR: I'm a member of
4 LAFCO.

5 PRESIDING MEMBER MOORE: Okay. So is
6 this -- have you already started thinking about
7 this in your long-term plans?

8 SUPERVISOR TAYLOR: Well, this is within
9 the industrial park which is already designated
10 for this kind of use. And, in fact, you know,
11 does bring these kind of businesses in.

12 So, we are looking at it, at least so
13 far, as a benefit, just in the local area, to a
14 portion that's already designated for these kind
15 of industries.

16 PRESIDING MEMBER MOORE: And you're
17 prepared in the long-term future to expand on
18 this, assuming it goes and it's profitable and
19 successful, then the County anticipates that there
20 could be a locus of development at this -- around
21 this site?

22 SUPERVISOR TAYLOR: Well, it's a normal
23 place where we're going to get development anyway
24 of this kind because it's right along the rail
25 line. And a lot of the companies coming in are

1 requesting that.

2 So we foresee that the industrial park
3 will probably fill up. And probably expand
4 probably to the south. And, you know, it's a
5 perfect place for it. There are a few neighbors,
6 Pat's here, I see.

7 But for the most part it's been an
8 industrial park for a long period of time. It's
9 foreseen that that's where our growth in these
10 industries is going to go. And this is just a
11 natural component of that. And actually an
12 incentive because of the competitive nature of
13 trying to site businesses at this point. That
14 anything that you can offer them is considered to
15 be a plus.

16 And in particular, the steam generation,
17 which has helped a lot, I think, in keeping
18 Parelli, which used to be Armstrong, and their
19 700-some employees here. You know, we've seen
20 that GWF has been a benefit to the community. And
21 we see that they will continue to do that, serve
22 that function.

23 PRESIDING MEMBER MOORE: Thank you,
24 Supervisor, appreciate it very much.

25 Anyone else in the public who'd like to

1 ask any questions or address us?

2 The process gets a little more
3 formalized after this. And I should advise you
4 that we, the three of us, become, in a sense, off
5 limits to anything more than casual comment or
6 questions about process.

7 It's a thing known as the ex parte rule.
8 If I have a conversation with any member of the
9 public, with the applicant, or really even with
10 staff about something other than simple
11 scheduling, I'll make a note of it and docket the
12 recordation of the comment or conversations. Just
13 so everyone is aware that I had some conversation.
14 It was not taking place in a public setting or
15 something else.

16 So, we tend to be pretty careful about
17 that. And to make sure that the lines are drawn
18 in the public arena, and certainly that we're
19 careful to not cross those lines in the outer
20 world, if you will.

21 So, we try to maintain a very open,
22 public process so you know what we're doing all
23 the time. And you're assured that we're not
24 undertaking any activities that aren't really
25 visible to the public.

1 So, contact to us should be limited
2 through the Public Adviser or you can go through
3 the -- actually, my Hearing Officer is allowed to
4 have certain conversations and communicate with
5 the staff again, mostly on procedural lines, but
6 we tend to do virtually everything that we do in a
7 public setting, where you're aware of it, you're
8 aware of how we think.

9 And you'll certainly see the output of
10 our thinking in the published report, the
11 Presiding Member's Proposed Decision at the end.

12 In that sense it's not unlike what your
13 County Supervisors conduct. They try and do their
14 dealings in the public sector and quite visible to
15 everyone.

16 So this is, we hope, the most open and
17 accessible public process that we can have.

18 I'm going to turn back to my Hearing
19 Officer and ask him for some concluding remarks.
20 And then I think we'll be headed for a tour.

21 HEARING OFFICER SHEAN: All right, well,
22 the ex parte discussion sort of stole my thunder,
23 so --

24 (Laughter.)

25 HEARING OFFICER SHEAN: -- but you get

1 the idea that from here on out, because the
2 decision can only be based upon a record that's
3 established in the proceedings, there is no access
4 to the decision-makers outside of public forum.

5 Mr. Grattan?

6 MR. GRATTAN: I was just going to say,
7 Mr. Hearing Officer, would it be helpful if we
8 pointed out on the map the industrial park and
9 where it was zoned heavy industrial?

10 HEARING OFFICER SHEAN: Sure, and I
11 think to do that, if you raise that, it's the
12 large area --

13 PRESIDING MEMBER MOORE: No, let's not.
14 Let's wait. Mr. Grattan, I appreciate the offer.
15 It's in the documents. And we'll make note of it.
16 And we'll probably see it on the tour.

17 But I think we'll ask for the public
18 works folks from the City to come and take a look
19 at that. That's --

20 (Laughter.)

21 PRESIDING MEMBER MOORE: We'll stop and
22 I won't have a bad name down here with the people
23 that run the facilities. I know how that goes.
24 Thank you for the offer.

25 Anyone else who would like to say

1 anything before we recess? And, as Mr. Shean
2 said, what will happen is we're going to go to a
3 tour. We'll be coming back here apparently for
4 some sort of refreshments or lunch.

5 And then if there's anyone who hasn't
6 gotten a chance to hear about the project, then
7 the staff and the applicant will be available and
8 accessible to answer questions at that time.

9 This gentleman looks like he's trying to
10 get up before I actually shut things down. So,
11 come on up and introduce yourself.

12 MR. VERBOON: Good morning, I'm Jim
13 Verboon. I'm a local farmer. I was originally a
14 member of the first oversight committee, and I
15 have a lengthy experience with the GWF
16 Corporation.

17 And you have a letter from me stating
18 the cooperative effort that they've gone out of
19 their way to ask for ideas and ways to mitigate
20 this project from day one, before it was ever
21 applied for. And we are very appreciative of
22 that.

23 We added some ideas and I think they've
24 been very receptive to that. Looks like it's
25 going to be a good project, long term, for the

1 residents of Kings County and the Hanford area in
2 particular. And I'd just like to say that we're
3 excited to see this thing go through.

4 PRESIDING MEMBER MOORE: Thank you very
5 much. Yes, ma'am?

6 MS. DAVIS: I'm the Mrs. Davis that they
7 were talking about. I live at 12908 South 11th
8 Avenue.

9 Mr. Buell probably has the letter that I
10 sent to him. Nothing has been said yet about the
11 people that have been coming out to us and
12 requesting that they put up sound equipment and
13 measure and things like this.

14 They have been very very nice. And we
15 appreciate them coming out, and the staff for
16 sending people out that we can talk with and deal
17 with.

18 And I agree, this looks like it's going
19 to be a good project. I thank you.

20 PRESIDING MEMBER MOORE: Thank you very
21 much. Anyone else who'd like to address us?

22 Well, with that let me just echo what
23 Mr. Shean said and thank the City very much for
24 the hospitality. And I'll tell you, as a former
25 county supervisor, and a Commissioner now, it's

1 nice to be in a community that's a community. So,
2 we're very happy to be here.

3 So, with that, let me -- yes, you have a
4 comment?

5 AUDIENCE SPEAKER: Commissioner Moore,
6 we have provided bus transportation for those
7 wishing to attend the site visit. And if you go
8 out the front and look towards Superior Dairy or
9 to your left, the bus should be there.

10 PRESIDING MEMBER MOORE: Good, --

11 AUDIENCE SPEAKER: I haven't seen it,
12 but it's supposed to be there.

13 (Laughter.)

14 PRESIDING MEMBER MOORE: Good, we'll
15 take it on good authority.

16 We're in recess now until after the
17 tour. And we'll see you on the tour or at the
18 lunch.

19 Thank you.

20 (Whereupon, at 11:30 a.m., the hearing
21 was adjourned, to reconvene later this
22 same day.)

23 --o0o--

24

25

1:20 p.m.

Supervisor, come up to the microphone,
not amplified, but they are recording. Welcome.

I've been around here all my life. I was here during the fight, original fight. And this year, this particular time, I have not had one complaint. No one's even called to even say boo about the expansion of this plant. So I take it for granted it's a go as far as I'm concerned.

Also, it's just coincidental that the last four days, or last three days, including today, they're interrupting the power at the

1 County Complex. So, we won't have any power this
2 afternoon, and we'll have to send everyone home.
3 So maybe we can hook into yours somehow.

4 (Laughter.)

5 SUPERVISOR BARBA: And keep us in
6 business. But, all I'm going to say is welcome
7 and thank you for giving us the opportunity to put
8 this plant into Kings County.

9 PRESIDING MEMBER MOORE: Thank you.
10 Thank you, Supervisor, for coming over.
11 Is there anyone else in the audience who
12 would like to address us, get anything on the
13 record before we close?

14 Seeing none, I'm going to adjourn this
15 public meeting. And we will see you again in the
16 next phase. And I'd say watch the webpage and
17 we'll be posting up the materials that come in in
18 dockets.

19 Thanks. And thanks, again, to the City
20 for the hospitality. We very much appreciate it.
21 Supervisors, thank your Board for the actions that
22 they took.

23 And we are adjourned.

24 (Whereupon, at 1:25 p.m., the hearing
25 was adjourned.)

CERTIFICATE OF REPORTER

I, DEBI BAKER, an Electronic Reporter,
do hereby certify that I am a disinterested person
herein; that I recorded the foregoing California
Energy Commission Hearing; that it was thereafter
transcribed into typewriting.

I further certify that I am not of
counsel or attorney for any of the parties to said
hearing, nor in any way interested in outcome of
said hearing.

IN WITNESS WHEREOF, I have hereunto set
my hand this 10th day of August, 2000.

DEBI BAKER

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